

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
MECHANICAL BOARD**

1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room

Cranston, RI 02920

Wednesday, February 3, 2016

9:00am

In attendance: Timothy Byrne

Stanley Davies

Robert Eva

Steven Gray

Michael Januario

Jack King

Quinlan T. Regan

Anthony Vessella

Charles Wright

Board Members Dennis Brennan and Fred Foeri, were not in attendance.

Also in attendance were Nicholas Ranone, RIDLT Chief Mechanical Investigator and Mary Ellen Mc Queeney-Lally, DLT Legal Counsel.

1.) Call to Order: Chair, Timothy Byrne called the meeting to order at 9:02am.

2.) Minutes of the January 6, 2016 Meeting: Charles Wright made a motion to accept the minutes of January 6, 2016 meeting as presented; seconded by Stanley Davies and passed unanimously by the Board.

3.) Conflict of Interest – Legal Counsel will address the Board concerning compliance with conflict of interest requirements: Mary Ellen Mc Queeney-Lally, Legal Counsel, reminds board members that they are subject to the RI conflict of interest laws and of their responsibility to disclose conflicts of interest, financial or otherwise, and should recuse from hearing and voting on the matter. Legal Counsel is available for any questions.

4.) Violation Appeal Hearings:

Wayne Jandron -- Violation 5375 Wayne Jandron did not appear.

LOCATION OF VIOLATION:

Thomas Bennett (residence), 106 Setian Lane, West Warwick, RI 02893

VIOLATION: On 10-29-15, I, Nicholas Ranone, Chief Mechanical

Investigator, received a complaint from Mr. Thomas Bennett against Mr. Wayne Jandron, for the installation of one (1) Crown gas fired hot water boiler that Mr. Jandron installed at the above mentioned location. On 10-30-15, I made a site visit to Mr. Bennett's home to view the work that was performed, obtain copies of cancelled checks that were made out to and deposited by Mr. Jandron, and received a written witness statement from Mr. Bennett stating that he did in fact hire Mr. Jandron to install a hot water boiler for him at his residence. Mr. Jandron does not hold any valid RI Master Pipefitter's license which would allow him to contract for and engage in this type of work. Mr. Jandron's RI Master Pipefitter 2 license (#6322) expired on 4-30-2014.

This is two (2) violations of RIGL 28-27-28 Practices for which a license is required (contract and engage in).

Also, after checking with the Town of West Warwick, no permit was issued for this boiler installation.

This is one (1) violation of RIGL 28-27-20 State and municipal inspections and installation permits.

Three (3) violations at \$1,500.00 each. Total \$4,500.00.

Board Member Anthony Vessella stated that Mr. Jandron has passed away.

Regarding Violation 5375 Charles Wright made a motion to table this violation. The motion was seconded by Michael Januario and passed

unanimously by the Board.

Glenn R. Bruno – Violation 5408 Glenn R. Bruno did not appear.

LOCATION OF VIOLATION:

Marshall Properties

375 Wampanoag Trail

East Providence, RI

VIOLATION:

On 12-3-15, I, Nicholas Ranone, Chief Mechanical Investigator, made a site visit to the above mentioned location and noticed the installation of some black iron piping running the length of the building on the second floor. After approaching Mr. Michael D. Richards, employee and electrical license holder for R.W. Bruno Heating & Cooling, (license # A-004140 and B-011756), he admitted to installing the black iron piping which is being used for the conveyance of the condenser water for the water source heat pumps throughout the building. Mr. Richards also went on to explain that he is the electrical license holder for the company and that he is the foreman for this particular job.

I spoke with Mr. Kevin McAloon, project manager for R.W. Bruno, and he did confirm that Mr. Richards was sent to this job and that he did, in fact, install the black iron piping. Mr. Richards does not hold a RI pipefitters license which would allow him do this type of work.

This is one (1) violation of RIGL 28-27-6 Corporations and firms

engaged in business. (paragraph 2, section b, unlicensed employee.)

Mr. Kevin McAloon, project manager for RW Bruno Heating & Cooling, Inc appeared.

Nicholas Ranone reads the violation and submits 6 photographs taken as evidence marked Exhibit A and is questioned by the Board and provides testimony.

Mr. Kevin McAloon, project manager, is questioned by the Board and testifies.

Regarding Violation 5408, Quinlan T. Regan made a motion that a violation did occur; seconded by Anthony Vessella and passed unanimously by the Board.

Regarding the penalty for Violation 5408, Quinlan T. Regan made a motion that the fine of \$1,500.00 be upheld; seconded by Anthony Vessella and passed unanimously by the Board.

The recommendation will be forwarded to the Department.

John E. Walker – Violation 5399 and Michael Walker, Walker Mechanical Inc. HVAC – Violation 5400. John E. Walker did not appear. Michael Walker and Bob Walker (owners of company) appeared.

VIOLATION 5399 --LOCATION OF VIOLATION:

Smithfield Police Annex

Smithfield Commons

371 Putnam Pike

Smithfield, RI 02917

VIOLATION:

On 12-4-15, I, Nicholas Ranone, Chief Mechanical Investigator, made a site visit to the above mentioned location and witnessed Mr. John E. Walker, an employee of Walker Mechanical Inc., Burlington, MA, servicing an HVAC ductless split system condensing unit. After approaching Mr. Walker, he explained that the property manager, Mr. George Terrian, placed the no heat service call to the office of Walker Mechanical Inc.; and he was dispatched to complete the repair.

Mr. Walker does not hold any RI refrigeration license which would be needed to perform this service.

This is one violation of RIGL 28-27-28 Practices for which a license is required.

Violation 5400 --LOCATION OF VIOLATION:

Smithfield Police Annex

Smithfield Commons

371 Putnam Pike

Smithfield, RI. 02917

VIOLATION:

On 12-4-15, I, Nicholas Ranone, Chief Mechanical Investigator, made a

site visit to the above mentioned location and witnessed Mr. John E. Walker, an employee of Walker Mechanical Inc., Burlington, MA, servicing an HVAC ductless split system condensing unit. After approaching Mr. Walker, he explained that the property manager, Mr. George Terrian, placed the no heat service call to the office of Walker Mechanical Inc.; and he was dispatched to complete the repair.

Mr. Walker does not hold any RI refrigeration license which would be needed to perform this service. After further investigation, I found that Walker Mechanical Inc. does not have a master license holder registered with the RI Secretary of State, which would allow them to legally engage in this type of business in the State of RI.

This is two (2) violations of RIGL 28-27-6 Corporations and firms engaged in business. (paragraph 1, licensed master is an officer of the corporation and paragraph 2, section b, unlicensed employees.)

Two (2) violations at \$1500.00 each. Total \$3000.00

Nicholas Ranone submits 3 photographs taken as evidence marked Exhibit A for Violation 5399. Mr. Ranone is questioned by the Board and provides testimony.

Michael Walker and Bob Walker are questioned by the Board and they both provide testimony.

Regarding Violation 5399 Charles Wright made a motion that a

violation did occur and seconded by Stanley Davies and passed unanimously by the Board.

Regarding the penalty for Violation 5399 Charles Wright made a motion that the fine of \$1,500.00 be reduced to \$500.00 and seconded by Stanley Davies and passed unanimously by the Board.

Regarding Violation 5400 Charles Wright made a motion that a violation did occur and seconded by Anthony Vessella and passed unanimously by the Board.

Regarding the penalty for Violation 5400 Charles Wright made a motion that the fine of \$3,000.00 be reduced to \$1,500.00. The reason being that this company has never had a problem before in the State of RI and also based upon their testimony. This motion was seconded by Stanley Davies and passed unanimously by the Board.

These recommendations will be forwarded to the Department.

6.) Old Business - Review of proposed changes to Rules & Regulations and proposed licenses:

Charles Wright addressed the Board. Mr. Wright is working on the rules and regulations with Mr. Ranone and will bring them to the board for review and approval when they are complete. Mr. Wright informs that any input from board members is appreciated.

7.) Adjournment: Motion to adjourn made by Stanley Davies; seconded by Charles Wright. All were in favor. The meeting adjourned at 9:49 am.